



**Delaware Jockey's Health & Welfare Benefit Board  
Minutes of Regular Meeting Held On  
April 13, 2017**

The Delaware Jockey's Health & Welfare Benefit Board held a Regular Meeting on Thursday, April 13, 2017 at 09:05 a.m., in the Horsemen's Office, Delaware Park, 777 Delaware Park Blvd, Wilmington, DE, 19804.

**The following Board members were present:**

Edward J. Stegemeier, Chairman
W. Duncan Patterson, Jr., DTRC Chair, Ex-Officio Member
Bessie Gruwell, DTHA Executive Director
Heriberto Rivera, Jr. Jockey's Guild
Pedro Lizarzaburu, DJH & WBB Board Member
Scott Spieth, DJH & WBB Board Member, Via Telephone

**The following individuals also were present:**

John F. Wayne, DTRC Executive Director
Robert E. Colton, Delaware Jockey's Association, Director
Jodi Hartley, Christiana Care, Director
Bradley Sandella, Christiana Care, Physician
Katie Davis, Jockey
Joseph Rocco, Jockey Agent
Fritz Burkhardt, DTRC, Steward
Molly Church, DTRC (recording minutes)

**1. WELCOME AND CALL TO ORDER**

Chairman Stegemeier called the meeting to order at approximately 9:02 a.m. It was also noted that Scott Spieth was present at the meeting via telephone.

**2. APPROVAL OF MINUTES**

Chairman Stegemieier requested that the Board postpone the approval of the January 11, 2017 minutes until the next Delaware Jockeys Health and Welfare Benefits Board meeting in June 2017.

**3. OLD BUSINESS**

Robert Colton presented the state of the funds to the Board. The year to date revenue-less expense as of April 1<sup>st</sup> is a deficit of \$15,621.00. The 2017 projected revenue-less expense is a deficit of \$28,846.00. The 2017 projected revenue-less expense with full participation of 5 active and 8 retired riders who are eligible but not participating is a deficit of \$170,000. The excess on-track premium is a reduction of 5%, which is significantly less than the projected 10% reduction. As of April 1<sup>st</sup>, the current membership is 37 jockeys- 21 active and 16 retired. There were no jockeys added or dropped in 2017 so far.

Mr. Duncan Patterson asked why a retired eligible jockey would not enroll in the program. Mr. Colton stated that some jockeys may have spousal benefits or personal insurance through another occupation. Mr. Colton said he has continuously let these jockeys know of their eligibility.

**A. Publishing of Amended Existing Regulations 2.1.1, 2.1.2.2, and 2.2 and New Rules 2.1.1.3 and 2.4**

At the January 2017 meeting, Mr. Colton presented a proposal for multiple regulation changes and amendments. All of these regulation changes and amendments were submitted and passed with the exception of Rule 2.1.1, for which Mr. Colton suggested 75 mounts, but it was decided to be changed to 100 mounts. The rules were posted through the Board's attorney, Andrew Kerber.

The Amended Regulation 2.1.1 states:

"An Active Delaware Jockey, who regularly rides in Delaware, is eligible for health insurance coverage under the fund, if the jockey had one hundred mounts in a Delaware Park season at Delaware Park; and"...

Amended Regulation 2.1.2.2:

"...the jockey rode a minimum of 100 mounts at Delaware Park during the regular Delaware Park season for at least ten years"

Amended Regulation 2.2:

"An active jockey, a retired jockey, or an eligible disabled jockey's family will be entitled to health coverage for one year beginning on the first day of the calendar year the eligibility requirements have been met."

New Regulation 2.1.1.3:

"An Active Delaware Jockey who did not ride the qualifying number of mounts during a Delaware Park season due to circumstances beyond the control of the jockey may petition the Delaware Jockey's Health and Welfare Benefit Board for eligibility. The Delaware Jockey's Health and Welfare Benefit Board shall review the petition, and if in the discretion of the Board the circumstances warrant, may grant eligibility."

New Regulation 2.4:

"The Fund shall provide benefits secondary to Medicare or Medicaid for any member or an enrolled dependent of a member, who is eligible for Medicare or Medicaid health benefits."

Chairman Stegemeier presented a letter from John Mooney, who was out of town and could not attend the meeting. Mr. Mooney's letter stated that due to the letters received from Mario Pino, Brian Pedroza, and Scott Spieth, he suggests further discussion to be made regarding these regulation changes. Mr. Mooney's letter also stated that he was opposed to the Fund covering travel expenses to a conference in Dubai; he also does not support expenses for an athletic trainer on the grounds.

Chairman Stegemeier asked Scott Spieth about his opinion on the amended changes, referencing his letter he sent to the Board in March. Mr. Spieth said that he felt that 50 mounts was too minimal for 81 racing days at Delaware, so he agreed with the increase in mounts needed. However, Mr. Spieth said that he did not agree with the number of riding years needed to be eligible. He has raced at Delaware for 2 years and was working towards his 7 years to qualify. He said that this regulation is not as beneficial for older jockeys who may not have as many years left to ride as younger riders. Chairman Stegemeier said that in the past they have tightened the plan because they had too many participants and not

enough money, and they have also loosened the plan because they had enough money but not enough participants. The Board has to get control of the plan back, and in its current state, it is starting to lose control. The Board must also be fair to riders who ride or rode primarily in Delaware, and Chairman Stegemeier noted that some jockeys ride primarily in another jurisdiction while also trying to reap the benefits from Delaware, which is unfair.

These rule changes were discussed at the January meeting and were unanimously voted on and turned over to Andrew Kerber for prepare these rules. Chairman Stegemeier asked if anyone wanted to revisit them and reconsider them. Mr. Spieth was in favor, and the other members were opposed. Mr. Kerber suggested that Chairman Stegemeier entertain a motion to approve the rules as they are for publishing. Heriberto Rivera moved and Bessie Gruwell seconded.

#### **4. NEW BUSINESS**

Mr. Colton introduced Dr. Bradley Sandella, who is head of Sports Medicine at Christiana Care and is also head of the Christiana Concussion Clinic. Delaware has sent numerous riders there in the past year and a half. Dr. Sandella has been very helpful with this and Mr. Colton noted that finding a doctor can be incredibly tough for jockeys. Recently, Mr. Colton and Dr. Sandella have been discussing bringing a University of Delaware graduate student, who will be certified as an Athletic Trainer, to Delaware Park. This individual can gain experience in their field and their services could also be very beneficial to the jockeys.

Dr. Bradley Sandella thanked the Board for letting him speak at the meeting and went on to give some of his background history. Before attending medical school, Dr. Sandella was an athletic trainer himself for five years. Dr. Sandella explained that an athletic trainer is a highly skilled medical professional who has a skillset in line with sports medicine. Recognized by the American Medical Association, they are certified by an accredited body and licensed in the state of Delaware to provide healthcare. They cover topics such as well-being, nutrition, and also the prevention of athletic injuries and concussions. In most states, athletic trainers work under a physician with whom they have direct access to, and this helps to get someone the correct care they need immediately, something that is very crucial in the event of a concussion or other serious injury. Dr. Sandella also emphasized that the professionals that we would be working with are doctorate level students with a minimum of one degree and they are highly trained and practiced. The athletic trainer would be making \$45-46,000 a year.

Dr. Sandella then went on to explain that there are currently 25,000 athletic trainers practicing in the United States right now. From 2014 to 2024, there is a 21% projected increase for the use of athletic trainers. It is one of the most rapidly growing health care enterprises.

Mr. Colton proposed a one year contract with the University of Delaware, for which an athletic trainer would be put on the grounds, in the jockeys' room, for all race days. There would be many advantages, including the ability to fast-track jockeys into the medical system, which has been a problem in recent years. Mr. Colton also said that jockeys currently have difficulties with some entities accepting their insurance, because their insurance is not a traditional health plan. Many jockeys have been getting turned down because there is no way for the doctor to check the validity of their insurance. With an athletic trainer, the insurance would already be there and available to check, making this less of a problem.

There are also many safety advantages as well. Since concussions can occur later after an initial impact, having an athletic trainer present to monitor the jockeys over a period of time after a spill could make a huge difference. The presence of an athletic trainer would also help alleviate the liability of Delaware Park and the Commission. There is currently no nurse or doctor on the grounds. There is currently no way to really evaluate the wellness of a jockey after an injury other than the EMTs taking them to the Emergency Room. The presence of an athletic trainer would change that.

The contract states that the athletic trainer would be working 20 hours per week. Chairman Stegemeier asked how, if there will be 4 racing days per week, can they fit their work into 20 hours, and he then asked if 5 hours a day would be enough. Dr. Sandella answered that the athletic trainer's schedule could be adjusted to fit the needs of the jockeys and Delaware Park.

Mr. Colton recently toured University of Delaware's athletic training facilities and said everything there was very state of the art. If a rider needs rehabilitation, they can get treatment at the University as part of the contract. Dr. Sandella is also opening his own office there soon, as well as a concussion clinic. Physical therapy and imaging studies are available too.

Dr. Sandella is credentialed in primary care as a family doctor in addition to sports medicine. His office is also housed with other personal care doctors for a jockey's convenience if he or she chooses to see one.

Chairman Stegemeier noted to Dr. Sandella that there will be a constant turnover of jockeys before every race, so the athletic trainer would need access to their overseeing physician throughout the day. Dr. Sandella said that it is expected of them to be available not just for the races themselves but for some time before and after the races.

Dr. Sandella noted that there is currently discussion about a database similar to the horse injury database, but for jockeys. Chairman Stegemeier noted that this type of database is already being used in the UK. If made in the US, this database will alert other tracks when a jockey gets injured at any track in the US until he or she is cleared.

Ms. Gruwell asked how the athletic director could work with Delaware Park's EMTs. Dr. Sandella stated that the athletic trainer would work with the EMTs by establishing certain guidelines; for example, if a jockey has a less serious injury, the athletic director could evaluate him without the need for a hospital trip, but if a hospital trip is needed, the EMTs can provide that type of help for the jockey. In Dr. Sandella's experiences, EMTs have worked well with athletic trainers to provide a safe and effective means of care.

Dr. Sandella went over rapid assessment, where, in the case of a spill, the athletic trainer will conduct a SCAT3 test, which is a checklist to evaluate the gravity of an injury and the possibility of a concussion. The exact same test can even be performed on the same person later in the day or days later if the athletic trainer is unsure about the injury. Mr. Rivera noted that Laurel Park already has this in place.

Scott Spieth said that having an athletic trainer on the grounds seems like a safe and smart thing to put into effect. Pete Lizarzaburu agreed and said that this is also long overdue not only for jockeys, but for exercise riders. Dr. Sandella agreed and said that this contract would also help exercise riders. Mr. Lizarzaburu asked if an athletic trainer could help in the event of an injury during the morning workouts. Dr. Sandella explained that this could possibly be worked out with schedule adjustments.

At this time, the Board thanked Dr. Sandella and Jodi Hartley for attending the meeting.

Before moving on to Public Comment, Chairman Stegemeier mentioned the 2017 International Conference for the Health and Safety of Jockeys which will take place in Dubai in November. Mr. Colton, John Wayne, and Chairman Stegemeier have attended this conference in past years at Monmouth Park in New Jersey. Chairman Stegemeier said it was educational and very informative about safety protocols, concussions, and overall jockey welfare. Mr. Colton has proposed a budget for \$3,000 for he and Mr. Wayne to attend the 2017 meeting in Dubai. Chairman Stegemeier strongly recommends that they attend this meeting. The payment for this will come from the Fund. Ms. Gruwell suggested that since this meeting won't take place until November, they can wait to discuss it until the next meeting. Chairman Stegemeier agreed and said they should wait for Mr. Mooney to be in attendance because he took a position on this topic.

Mr. Colton also requested a tentative approval from the Board regarding the hiring of an athletic trainer so the topic could be discussed with Delaware Park, so he could give the University an answer. Chairman Stegemeier asked the Board where they stood on this. Mr. Lizarzaburu said

that he believes the use of an athletic trainer is long overdue and is very important to move forward with. Mr. Rivera asked what the fee would be to hire the athletic trainer, to which Chairman Stegemier answered that it would be \$25,660.00 and that it would come from the Fund. Mr. Colton said that there is some "wobble room" here and he may be able to get the cost down a little. Ms. Gruwell agreed that the need for an athletic trainer is long overdue and that \$25,660.00 is a bargain for what could be accomplished. She also believes that it would be a wonderful precedent to a jockey injury database. Mr. Colton said that Delaware could serve as a model for other tracks.

## **5. PUBLIC COMMENT**

Mr. Wayne introduced Katie Davis, a jockey who was injured in 2016. She had a hard time finding a doctor to help her after her injury. She thinks that having a professional to look at concussions immediately after they happen would be very crucial and beneficial. Ms. Davis said that many people don't understand how dramatic a spill can really be. The impact of falling off while riding is even more traumatic than injuries with other sports such as football. Ms. Davis had recently started riding at Laurel Park and got injured about a week ago, landing on her collarbone. She said having an experienced doctor on the grounds made a lot of difference in her recovery. Ms. Davis also noted that it would also be beneficial to work with doctors who were familiar with the sport. She recalled times where her own doctors knew very little about horseracing, and in cases like these they are unable to treat jockeys with the care they really need.

Mr. Patterson asked Bill Fasy if Delaware Park was contemplating having a doctor on staff. Mr. Fasy said there were a few proposals to have a doctor on staff, but the Vice of Council has informed him that a doctor for the jockeys could not be done by Delaware Park due to issues with liability; additionally, the cost of a doctor from an insurance standpoint would come out to be a lot more than the \$25,660.00 the Board would have to pay for an athletic trainer. Mr. Fasy said that Delaware Park already contributes to the Fund and this is not currently in the budget.

Mr. Patterson said that at steeplechase meets, there is always a doctor present and riders have to have the baseline test. He has had many conversations with Terry Meeks about this and he has seen presentations about doctors who specialize in head traumas. He emphasized that the Jockeys Guild is really working on this issue but there is still progress to be made and a lot of work to be done.

Mr. Colton proposed a motion to move forward on tentative approval. Ms. Gruwell made the motion which was seconded by Mr. Rivera. The vote was unanimous.

## **6. ADJOURNMENT**

Upon a motion duly made (Gruwell) and seconded (Rivera), the meeting was adjourned at approximately 10:15 AM.